SB 1151

Introduced by
Senator Farnsworth D; Representatives Boyer, Mitchell, Petersen, Townsend;
Senators Begay, Burges, Crandell, Farley, Hobbs, Meza, Murphy, Reagan,
Shooter, Ward, Yee; Representatives Borrelli, Livingston, Montenegro,
Seel, Steele, Stevens

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 6.1, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-462.09; RELATING TO MUNICIPAL ZONING.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 9, chapter 4, article 6.1, Arizona Revised Statutes, is amended by adding section 9-462.09, to read:

9-462.09. Backyard fowl regulation; prohibition; exceptions; state preemption

A. A MUNICIPALITY MAY NOT ADOPT A ZONING ORDINANCE THAT PROHIBITS A RESIDENT OF A SINGLE-FAMILY DETACHED RESIDENCE FROM KEEPING FOWL IN THE BACKYARD OF THE PROPERTY. A MUNICIPALITY MAY:

1. RESTRICT THE NUMBER OF FOWL THAT A RESIDENT OF A SINGLE-FAMILY DETACHED RESIDENCE MAY KEEP IN THE BACKYARD OF THE PROPERTY.

2. PROHIBIT OR RESTRICT A RESIDENT OF A SINGLE-FAMILY DETACHED RESIDENCE FROM KEEPING MALE FOWL, INCLUDING ROOSTERS, UNLESS THE MALE FOWL IS INCAPABLE OF MAKING NOISE.

B. THE PROPERTY RIGHTS OF PROPERTY OWNERS IN THIS STATE ARE OF STATEWIDE CONCERN. THIS SECTION PREEMPTS ALL LOCAL LAWS, ORDINANCES AND CHARTER PROVISIONS TO THE CONTRARY.